**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE R.BASANT**

**WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929**

**Bail Appl..No. 7148 of 2007()**
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**CMP.6607/2007 of J.M.F.C.,MAVELIKKARA**
**CRIME NO.374/07 OF NOORANADU POLICE STATION**
**.....**

**PETITIONER/ ACCUSED NO.1:**
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**MURALEEKRISHNAN @ SONY,**
**S/O.PURUSHOTHAMAN ACHARY, THUSHARA VEEDU,**
**THAMARAKULAM, MEKKUM MURI, THAMARAKULAM.**

**BY ADV. SRI.G.ANANTHANARAYANAN**

**RESPONDENTS: COUNTER PETITIONER:**
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**STATE OF KERALA REPRESENTED BY**
**C.I. OF POLICE, MAVELIKKARA THROUGH THE**
**PUBLIC PROSECUTOR, HIGH COURT OF KERALA,**
**ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI.S.U.NAZAR**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**R. BASANT, J.**

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B.A.No. 7148 of 2007

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Dated this the 21st day of November, 2007

**O R D E R**

Application for regular bail. The petitioner faces allegations under Section 376 and 313 r/w. 34 I.P.C. The crux of the allegations is that the petitioner and the victim, an adult woman, had sexual intercourse on 25.3.07 and 28.8.2007. It is alleged that such sexual intercourse was on the basis of the promise of the petitioner to the victim to marry her. She became pregnant in such relationship. Thereafter the accused induced her to abort the pregnancy and on 6.9.2007 she was admitted to the hospital, where the pregnancy was aborted. The petitioner surrendered and continues in custody from 29.10.2007. Investigation is not complete.

2. The learned counsel for the petitioner submits that the petitioner is innocent. In the facts and circumstances of the case the petitioner does not deserve to remain in custody any longer.

Subject to appropriate conditions, the petitioner may be granted regular bail, it is prayed.

3. The learned Prosecutor does not oppose the application. In the facts and circumstances of the case, I am satisfied that the petitioner can now be enlarged on bail, subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

**(R. BASANT)**
Judge

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